

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

vs.

JAMES ERIC KAY

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CRIMINAL NO. 5:08-CR-1-HL

VIOLATIONS: 29 USC § 501(c)
(Embezzlement of Union Funds)

THE GRAND JURY CHARGES:

INTRODUCTORY PARAGRAPHS

- I. During the time frame specified below Boilermakers LG 523, Sandersville, Georgia, was an affiliate of the Boilermakers International Union, a labor organization engaged in an industry affecting commerce, as defined by Title 29, United States Code, Sections 402(i) and (j).
- II. During the time frame specified below, James Eric Kay was an officer of a labor union, more specifically, President of LG 523.
- III. All funds of LG 523 were maintained in a checking account in the name of LG 523 at the George D. Warthen Bank, Sandersville, Georgia.
- IV. LG 523 required that two signatories be on all union checks. The two authorized signatories were the Defendant, James Eric Kay, and another individual whose identity is known to the grand jury.

COUNT ONE THROUGH COUNT FORTY-THREE
(Embezzling Union Funds – Title 29, United States Code, Section 501(c))

Introductory Paragraph I through IV are incorporated herein by reference.

From on or about July 19, 2004, through on or about December 22, 2006, in the Middle District of Georgia, the defendant,

JAMES ERIC KAY,

did embezzle, steal, and unlawfully and wilfully abstract and convert to his own use, money, funds, and assets of LG 523, in that he made checks payable to Eric Kay and cashed the checks, as more fully described below, on the bank account of LG 523 at the George D. Warthen Bank, Sandersville, Georgia and in so doing forged the name of the second signatory, all in violation of Title 29, United States Code, Section 501(c).

<u>Count</u>	<u>Date</u>	<u>Check #</u>	<u>Amount of Check</u>	<u>Memo/Description</u>
1	07/19/2004	1301	\$200.00	Supplies
2	10/11/2004	1303	\$200.00	Expense
3	10/18/2004	1306	\$201.17	Supplies
4	11/22/2004	1304	\$500.00	Loan
5	11/29/2004	1305	\$500.00	X-mas Party
6	12/21/2004	1336	\$400.00	
7	01/10/2005	1332	\$600.00	
8	01/14/2005	1307	\$558.40	Negotiations
9	03/16/2005	1319	\$500.00	
10	04/12/2005	1320	\$500.00	Negotiations

11	04/23/2005	1339	\$617.17	Membership Dues
12	05/13/2005	1321	\$510.00	Membership Dues
13	05/23/2005	1322	\$481.17	Memorial Day Expenses
14	06/08/2005	1323	\$600.00	Loan
15	06/11/2005	1334	\$144.00	Phone Bill
16	06/24/2005	1324	\$400.00	Loan
17	07/12/2005	1327	\$600.00	tbpb loan
18	07/23/2005	1325	\$600.00	Negotiations
19	08/08/2005	1328	\$200.00	Rent
20	08/31/2005	1342	\$80.00	Reimbursement
21	09/01/2005	1326	\$389.00	Membership Dues
22	09/20/2005	1337	\$509.00	Expense
23	09/22/2005	1329	\$101.12	Travel Expenses
24	10/17/2005	1340	\$489.00	Taxes
25	11/04/2005	1345	\$157.00	Lease
26	11/15/2005	1348	\$535.00	Dues/Taxes
27	12/12/2005	1343	\$674.00	
28	01/20/2006	1335	\$497.00	Dues
29	02/23/2006	1341	\$501.00	Dues
30	03/18/2006	1351	\$501.00	Dues
31	04/15/2006	1354	\$101.00	Phone Bill
32	04/21/2006	1346	\$401.00	Dues

33	05/16/2006	1357	\$601.00	Convention Expenses
34	06/23/2006	1349	\$295.00	Dues
35	07/05/2006	1360	\$185.00	Expense
36	08/04/2006	1363	\$401.00	pc TAX
37	08/16/2006	1366	\$225.00	Phone Bill
38	09/14/2006	1355	\$250.00	Union Expenses
39	09/24/2006	1347	\$205.15	Phone Bill
40	10/03/2006	1350	\$243.17	Dues & Supplies
41	10/19/2006	1353	\$601.00	Supplies & Phone Bill
42	11/16/2006	1358	\$425.00	Expense
43	12/22/2006	1369	\$301.01	Expense

All in violation of Title 29, United States Code, Section 501(c).

A TRUE BILL.

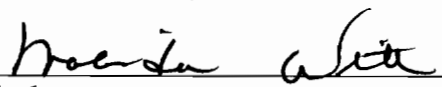
s/FOREPERSON OF THE GRAND JURY

Presented by:



GEORGE R. CHRISTIAN
ASSISTANT UNITED STATES ATTORNEY

Filed in open court this 16th day of January, AD 2008.



Deputy Clerk